

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

A.L.M. HOLDING COMPANY and)	
ERGON ASPHALT & EMULSIONS, INC.,)	
)	
Plaintiffs,)	Civil Action No.3:23-CV-00467
)	
v.)	
)	
HI-TECH ASPHALT SOLUTIONS, INC.,)	
and ZYDEX INC.,)	
)	
Defendants.)	

NOTICE OF VOLUNTARY DISMISSAL

Plaintiffs A.L.M. Holding Company and Ergon Asphalt & Emulsions, Inc. (“Plaintiffs”), by counsel, hereby dismiss Defendant Zydex Inc. from this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) without prejudice, because Zydex Inc. has served neither an answer nor a motion for summary judgment.

Dated: November 9, 2023

Respectfully Submitted,

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2023 the attached pleading was filed using this Court's CM/ECF filing service and, accordingly, a copy will be provided to counsel of record.

/s/
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